

Image

1644

DOCKET NO: L0461.70104 US00

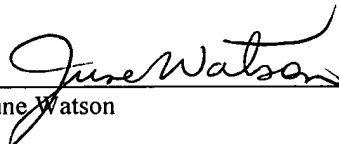
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luiten et al.
Serial No: 09/766,889
Confirmation No: 9782
Filed: January 19, 2001
For: MAGE ANTIGENIC PEPTIDES WHICH BIND HLA-B35 AND
HLA-B44

Examiner: DiBrino, M.
Art Unit: 1644

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 15th day of January, 2004.


June Watson

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Transmitted herewith are the following documents:

- ☒ **Response to Species Election Requirement**
- ☒ **Return Receipt Postcard**

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No fee is enclosed. If a fee is necessary, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Luiten, et al., Applicant


John R. Van Amsterdam, Reg. No.: 40,212
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617)720-3500

Docket No. L0461.70104US00
Date: January 15, 2004
x02/02/04



DOCKET NO: L0461.70104US00

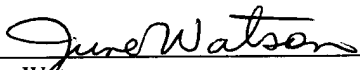
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luiten et al.
Serial No: 09/766,889
Confirmation No: 9782
Filed: January 19, 2001
For: MAGE ANTIGENIC PEPTIDES WHICH BIND HLA-B35
AND HLA-B44

Examiner: DiBrino, M.
Art Unit: 1644

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 15th day of January, 2004.


June Watson

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO SPECIES ELECTION REQUIREMENT

Sir:

In response to the species election requirement mailed January 2, 2004, Applicant elects species as follows.

For the first species requirement (paragraph 3 of the Office Action), relating to MAGE-A1 HLA-B35 binding peptide comprising SEQ ID NO:10, Applicant elects species A, SEQ ID NO: 8.

For the second species requirement (paragraph 4 of the Office Action), Applicant elects species B, MAGE-A1 HLA class II binding peptides.

To the extent that HLA class I peptides are recited in the claims, Applicant believes that claims 84-87 do not read on the elected species.

Applicant respectfully traverses the first species requirement with respect to species A and B (SEQ ID NO:8 and SEQ ID NO:9). These two peptides differ by one N-terminal amino acid. It is respectfully submitted that the two sequences, even if separately patentable, would present minimal additional burden for the Examiner to search and examine together. Accordingly, Applicant respectfully requests reconsideration of the first species requirement with respect to SEQ ID NOs:8 and 9.

Respectfully submitted,

Luiten, et al., Applicant

By: 
John R. Van Amsterdam, Reg. No. 40,212
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. L0461.70104US00
Date: January 15, 2004
x02/02/04